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Attorneys for Plaintiff
UNITED STATES OF AMERICA

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

LEONEL HERNANDEZ,

Defendant.

Case No. 1:24-CR-00248-NODJ-BAM

JOINT STATUS REPORT; STIPULATION TO
VACATE STATUS CONFERENCE; ORDER

DATE: April 23, 2025
TIME: 1:00 PM
COURT: Hon. Barbara A. McAuliffe

JOINT STATUS REPORT

Counsel for Defendant Leonel Hernandez (“Defendant”) and the United States of America (“United States”) stipulate and request that the Status Conference currently scheduled for April 23, 2025 be vacated.

After making his initial appearance on the indictment, Defendant was ordered released subject to pre-trial conditions. [ECF #8]. The United States has provided initial discovery to defense counsel.

As detailed in the pre-trial violation petition, Defendant has absconded and taken flight from the underlying federal charges since February 2025. [ECF #17]. Given Defendant’s unavailability, undersigned counsel request that the currently scheduled Status Conference be vacated until Defendant is apprehended and made available.

Undersigned counsel also agree that time shall not run during the period of Defendant’s

1 voluntary absence pursuant to the Title 18, United States Code, Section 3161(h)(3)(A), (B).

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3 **STIPULATION**

4 The United States of America, by and through undersigned counsel, and Defendant's
5 undersigned counsel, hereby stipulate as follows:

- 6 1. The Status Conference currently scheduled on April 23, 2025, at 1:00 p.m., may be vacated.

7
8 Respectfully submitted,

9 MICHELE BECKWITH
10 Acting United States Attorney

11 Date: April 16, 2025

/s/ Chan Hee Chu
12 CHAN HEE CHU
Assistant United States Attorney
13 Attorney for Plaintiff

14
15 Date: April 16, 2025

/s/ John Frederick Garland
16 JOHN FREDERICK GARLAND
Attorney for Defendant
17 LEONEL HERNANDEZ

ORDER

IT IS SO ORDERED. The status currently scheduled for April 23, 2025, at 1:00 p.m. is hereby vacated. For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq., within which trial must commence, the time period of April 23, 2025 and until Defendant's apprehension and availability, inclusive, is excluded pursuant to 18 U.S.C. § 3161(h)(3)(A) and (B).
IT IS SO ORDERED.

Dated: April 16, 2025

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE